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ASHBURNHAM, MA 01430



NOTICE OF DECISION

Number: 17-01

Date of Application: March 6, 2017

Subject of Appeal: The application of Craig Pultorak request for a Variance from Section 4.2 the Schedule of Dimensional Regulations of the Ashburnham Zoning Bylaws and all other necessary zoning relief. The request is to allow a one bedroom, single family home to be built on the property located at 2 Brogan Lane, Map 1 Parcel 16.

Date of Hearing: March 29, 2017

Date of Decision: March 29, 2017

Decision: Unanimous decision to grant a Special Permit from Section 1.42 of Ashburnham Zoning Bylaws.

Basis for Decision:

The Board finds that Section 1.42 applies to this application and a Special Permit may be sought based on previous footprint. The board finds that the granting of the Special Permit does not harm the neighborhood nor derogate from the intent of the Bylaw.

Conditions:

Foot print of 890 sq. ft. home, dated 2013.
Front setback must be at least 35 feet from road.
Side setbacks must be at least 15 feet from the property lines.
Height not to exceed 35 feet.

Vote of Board: Unanimous to grant Special Permit.

Board Members Present and Voting:

Terry Girouard, Acting Chairman
Mark Carlisle, Acting Clerk
Ken Mullen
Rich Archer

Notice: Any decision of the Zoning Board of Appeals may be appealed to Court, in accordance with Massachusetts General Laws Chapter 40A, Section 17, by the applicant, Town Boards or officers or any person aggrieved by said decision.

Pursuant to G. L. c. 40A, s. 11, this Special Permit shall not take effect until a copy of the decision bearing the certification of the city or town clerk that 20 days have elapsed after the decision has been filed in the office of the town clerk and either that no appeal has been filed or the appeal has been filed within such time, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The person exercising rights under a duly appealed Special Permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone. The fee for recording or registering shall be paid by the owner or applicant.

CERTIFICATION

I hereby certify that the foregoing Notice of Decision was filed in the Office of the Ashburnham Town Clerk, which twenty (20) days have elapsed since the date of said filing, and that:

_____ No notice of appeal from said Decision has been received relating thereto; (or)

_____ A Notice of appeal from said decision was received within said twenty day period.

Dated:

Ashburnham Town Clerk